

Appl. No. 09/864,836  
Amtd. Dated April 9, 2004  
Reply to Restriction Requirement of March 23, 2004

• • R E M A R K S / A R G U M E N T S • •

The present Supplemental Amendment is being filed to address and overcome the inconsistency in Claim 1 which the Examiner noted on page 3 of the Election Requirement mailed on March 23, 2004.

Entry of the present Supplemental Amendment prior to further examination of the application is respectfully requested.

If upon consideration of the above, the Examiner should feel that there remain outstanding issues in the present application that could be resolved, the Examiner is invited to contact applicants' patent counsel at the telephone number given below to discuss such issues.

To the extent necessary, a petition for an extension of time under 37 CFR §1.136 is hereby made. Please charge the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 12-2136 and please credit any excess fees to such deposit account.

Respectfully submitted,

  
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In the Official Action of March 23, 2004 the Examiner has instituted a Restriction Requirement in which she has taken the position that the application includes claims that are directed to two different and distinct inventions.

Specifically, the Examiner noted that claims 1-6, 8 and 9 (Group I) are drawn to disposable diaper that is classified in class 604, subclass 385.22 and that claim 7 (Group II) is drawn to a process for making a disposable diaper that is classified in class 156, subclass 290.

The Examiner has based the Restriction Requirement on her position that the process of claim 7 can be used to make a materially different disposable than that of claims 1-6, 8 and 9.

In response to the Restriction Requirement, applicant hereby elects to have claims 1-6, 8 and 9 (Group I) examined in the present application.

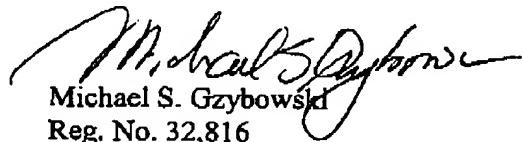
It is believed that the above represents a complete response to the Official Action and reconsideration is requested.

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